

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
:
UNITED STATES OF AMERICA :
:
- v. - :
:
MATHIS JOSEPH, a/k/a "Shorts," :
:
Defendant. :
:
- - - - - X

Protective Order

S1 16 Cr. 246 (JSR)

WHEREAS, the United States of America seeks to provide in unredacted form certain documents pursuant to Rule 16 of the Federal Rules of Criminal Procedure; and

WHEREAS, some material that the Government seeks to provide contains personal identification information and other private, sensitive, and confidential matter; and

WHEREAS, the Government is willing, under the conditions set forth below, to produce such materials;

IT IS HEREBY agreed, by and between the United States of America, Geoffrey S. Berman, United States Attorney, by Jordan Estes and Jason A. Richman, Assistant United States Attorneys, and the defendant, by and through his attorney, that:

1. Any material reflecting (a) personal identification information (including, but not limited to, names, dates of birth, Social Security numbers, and bank account numbers) and (ii) other private, sensitive and confidential matter (including, but not limited, documents showing an

individual's prescription history), produced by the Government in this action, is deemed "Confidential Information" and shall be so identified by the Government.

2. Confidential Information disclosed to the defendant or to his counsel during the course of proceedings in this action:

(a) Shall be used by the defendant and his counsel only for purposes of the defense of this action;

(b) Shall be maintained in a safe and secure manner solely by the defendant's counsel; shall not be possessed by the defendant, except in the presence of the defendant's counsel and/or Designated Persons as defined below; and shall not be disclosed in any form by the defendant or his counsel except as set forth in paragraph 2(c) below;

(c) May be disclosed by the defendant or his counsel only to the following persons (hereinafter "Designated Persons"):

(i) investigative, secretarial, clerical, and paralegal student personnel employed full-time or part-time by the defendant's counsel;

(ii) independent expert witnesses, investigators, or advisors retained by the defendant's counsel in connection with this action;

(iii) such other persons as hereafter may be

authorized by the Court upon motion by the defendant; and

(d) Shall be returned to the Government following the conclusion of the trial of the above-referenced action or upon the defendant's sentencing, as the case may be, and any all copies made of said material shall be shredded, erased, and/or destroyed, as the case may be.

3. The defendant and his counsel shall inform Designated Persons, to whom they intend to disclose Confidential Information pursuant to paragraph 2(c), about this Order and its terms, prior to disclosure of Confidential Information to those Designated Persons.

4. The Government will provide redacted copies of documents containing Confidential Information to defense counsel so that the defendant may review the Confidential Information outside the presence of defense counsel.

5. The provisions of this Order shall not be construed as preventing the disclosure of any information in any motion, hearing, trial, or sentencing proceeding held in connection with the above-referenced action or to any District Judge or Magistrate Judge of this Court for purposes of the above-referenced action.

6. With respect to Confidential Information, any filings with any court shall be governed by Rule 49.1 of the Federal Rules of Criminal Procedure.

Dated: New York, New York
June 3 , 2020

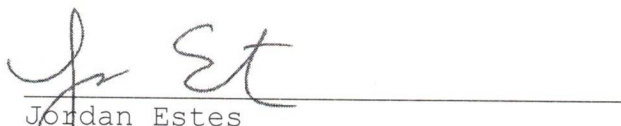
SO ORDERED:




THE HONORABLE JED S. RAKOFF
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK

GEOFFREY S. BERMAN
United States Attorney for the Southern
District of New York

By:


Jordan Estes
Assistant United States Attorney

Consent:



Mitchell E. Hemen, Esq.
Counsel for Mathis Joseph,
a/k/a "Shorts"